



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/365,731	08/03/1999	GLEN J. ANDERSON	P65745US0	2165

30408 7590 11/18/2003

GATEWAY, INC.
ATTN: SCOTT CHARLES RICHARDSON
610 GATEWAY DR., Y-04
N. SIOUX CITY, SD 57049

EXAMINER

NGUYEN, THOMAS T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 11/18/2003

17

Please find below and/or attached an Office communication concerning this application or proceeding.



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER OF
PATENTS AND TRADEMARKS
Washington, D.C. 20231

**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Paper No. 17

Application Number: 09-365,731
Filing Date: 08-03-1999
Appellant(s): Anderson et al.

Allen S. Melser
For Appellant

EXAMINER'S ANSWER

Technology Center 2100

8 1 1 1

MAILED

MAILED

11/18/03
Technology Center 2100

This is in response to appellant's brief on appeal filed August 25, 2003.

Art Unit: 2174

(1) *Real Party in Interest*

A statement identifying the real party in interest is contained in the brief.

(2) *Related Appeals and Interferences*

A statement identifying the related appeals and interferences contained in the brief is correct.

(3) *Status of Claims*

The statement of the status of the claims contained in the brief is correct.

(4) *Status of Amendment After Final*

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) *Summary of the Invention*

The summary of invention contained in the brief is correct.

(6) *Issues*

The appellant's statement of the issues in the brief is substantially correct. The changes are as follow:

Whether claims 1,3,4,8-12,14,15, and 19-22 are anticipated under 35 USC 102(b) by Dazey et al. U.S. Patent No. 5,715,415.

Whether claims 2,5-7,13, and 16 are unpatentable under 35 USC 103(a) over Dazey et al. U.S. Patent No. 5,715,415 in view of Endres et al. U.S. Patent No. 6,104,359.

Art Unit: 2174

(7) *Grouping of Claims*

Appellant's brief includes a statement claims 2-11 do stand or fall together based on claim 1, and 13-22 do stand or fall together based on claim 12 (brief, p.3) and provides reasons as set forth in 37 CFR 1.192(c)(7) and (c)(8).

(8) *Claims Appealed*

The copy of the appealed claims contained in the Appendix of the brief is correct.

(9) *Prior Art of Record*

The following is a listing of the prior art of record relied upon in the rejection of claims under appeal.

U.S. Patent No. 5,715,415	Dazey et al.	Feb. 03, 1998
U.S. Patent No. 6,104,359.	Endres et al.	Aug. 15, 2000

(10) *Grounds of Rejection*

The following ground(s) of rejection are applicable to the appealed claims:

The following rejection is substantially set forth in Final Office action, Paper #11.

Claims 1,3-4,8-12,14-15,19-22 are rejected under 35 U.S.C. 102(b) as anticipated by Dazey et al. U.S Patent No. 5,715,415.

As per claim 1: *Dazey's* system (abstract, summary and Fig.5) discloses the following:

a first display means having a predetermined first display area dedicated to displaying a main window of an application program (50);

Art Unit: 2174

second display means having a predetermined second display area dedicated to displaying auxiliary information (70) related to the application program; and

means, responsive to the application program, for separately routing the main window exclusively to the first display area, and the auxiliary information exclusively to the second display area so that display of the auxiliary information does not overlap display of the main window (summary, col.4 lines 46-67). *“When the user requires help, the user activates a button on the user interface to show the help content. The graphical window containing the application is partitioned to define a help pane which shows the help content. The help pane is integrated into and appears positioned adjacent to a workspace to assist the user with context specific, step-by-step, instructions”* (summary, and col.2 lines 16-22, Figs.4-5).

Regarding claim 3, in addition to what is recited in claim 1, Dazey’s system discloses that the auxiliary information including help information from a help information database of the application program *“The publishing application is configured to provide help content in the way of step-by-step instructions for creating the brochure. The help content may also include an electronic version of the operation manual that might accompany the software product”* (col.4 lines 49-53, Figs.1-2).

Regarding claim 4, in addition to what is recited in claim 1, Dazey’s Fig.5 explicitly shows the first and second display means constitute different portions of a screen on a single display device.

Art Unit: 2174

Regarding claim 8, in addition to what is recited in claim 1, *Dazey's* system further comprises intercepting means for intercepting a user request; and the routing means routes the auxiliary information to the second display means in response to the intercepting means interception of the user request (Figs.3,5).

Regarding claim 9, in addition to what is recited in claim 8, *Dazey* teaches the user request is an invocation of a help function in the application program; and the routing means constitutes means for routing help information from a help database in the application program to the second display means (summary, Figs.2,5).

Regarding claims 10-11, in addition to what is recited in claim 1, *Dazey* teaches a means for continually monitoring an active window in the application program; and the routing means constitutes means for automatically routing to the second display means, auxiliary information/ help information that corresponds to a window that the monitoring means determines to be the active window (col.2 lines 16-24).

Claims 12,14-15,19-22 are similar in scope to claims rejected from above and they are believed to be rejected under similar rationale.

Art Unit: 2174

Claim Rejections - 35 USC § 103

Claims 2,5-7,13,16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dazey et al. U.S Patent No.5,715,415 in view of Endres et al. U.S Patent No. 6,104,359

Regarding claims 2 and 13, in addition to what is recited in claim 1, Dazey teaches the routing means of the different portions of a screen on a single display device in an operating system of the computer. On the other hand, Dazey fails to disclose a routing means of a multimonitor support feature in an operating system of the computer system. However, it is known in the art that a routing means is associated with a multimonitor in an operating system. For instance, *Endres et al.*, hereinafter *Endres*, explicitly teaches the routing means includes a multimonitor support feature in an operating system of the computer system (summary, Figs.2).

Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Endres's teaching of multimonitor support with Dazey's system to maximize the workspaces ("50,70" Fig.5) because a larger workspace would enhance the user performance when viewing and operating the application program / auxiliary information in a GUI environment.*

Regarding claims 5 and 16, in addition to what is recited in claim 1, Dazey teaches the multi display means of different portions of a screen on a single display device in an operating system of the computer but fails to teach the first and second

Art Unit: 2174

display means constitute physically separate display devices. However, it is known in the art that the multi physical monitors can be supported in the window operating system. For instance, *Endres* explicitly teaches the first and second display means constitute respective first and second physically separate display devices (abstract, summary, Fig.2). Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Endres's teaching of first and second physical monitors in a computer system with Dazey's system to enhance the user performance when viewing, operating the application program / auxiliary information in a GUI environment because a multiple windows application programs can take advantage of additional screens providing an expanded GUI desktop area.*

Regarding dependent claims 6-7, 17-18, in addition to what is recited in claims 5,16 respectively, *Endres's system* inherently discloses the second display device can be physically smaller than the first display device (col.15 line 62-67); and have a lower resolution than the first display device (col.4 line 38-65, summary).

(11) Response to Argument

Appellant argues that “Dazey does not teach the first and second dedicated displays where the first display only displays a main window of an application program and the second display only displays auxiliary information (p.4 last paragraph)”. However, Dazey's system discloses “*When the user requires help, the user activates a button on the user interface to show the help content. The graphical window containing the application is partitioned to define a help pane*

Art Unit: 2174

which shows the help content. The help pane is integrated into and appears positioned adjacent to a workspace to assist the user with context specific, step-by-step, instructions” (summary, col. 3 lines 16-22) , and “The help pane is advantageous in comparison to traditional help windows because the help pane is part of the application window and cannot get lost behind other active windows or float annoyingly over the workspace”(summary, col. 3 lines 16-22). Furthermore, Dazey discloses “The operating system employs a graphical user interface windowing environment which presents the applications or documents in specially delineated areas of the display screen called windows. Each window has its own adjustable boundaries which enable the user to enlarge or shrink the application or document relative to the display screen. Each window can act independently, including its own menu, toolbar, pointers, and other controls, as if it were a virtual display device” (col. 3 lines 26-34). Furthermore, Dazey’s Fig. 5 shows a second display area displays the help pane adjacent (non-overlapped) to a first display area (main window). Thus, the first and second display areas are dedicated and presented in a specially delineated areas of the display screen called windows so that the display of the help pane (auxiliary information) never overlaps the display of the main window as Appellant’s claim 1 recites.

Appellant(s) argues that “the reference does not teach the use of a device for separately routing the main window exclusively to the first display area and the auxiliary information exclusively to the second display area so that the display of the auxiliary information never overlaps the display of the main window (p.5 lines 1-4)”. However, Dazey’s reference discloses “Each window can act independently, including its own menu, toolbar, pointers, and other

Art Unit: 2174

controls, as if it were a virtual display device” (col. 3 lines 32-33) and when the user requires the second window (help panel). “The help pane is integrated into and appears positioned adjacent to a workspace (first window). Thus, Dazey’s window system does have the use of a device for separately routing (integrating) the second window (help panel) to appear positioned adjacent to the first window for displaying the help panel auxiliary/ help information into the second window.

Regarding to claim 12, Appellant argues that *“the Dazey patent, neither teaches nor suggests the step of routing and displaying the main window of the application program to a first dedicated display area that cannot display the auxiliary information and separately routing the auxiliary information to a second dedicated display area that cannot display the main window, so that the display of the auxiliary information never overlaps the display of the main window”*(p.5 lines 15-23). However, this claim is similar in scope to claim 1 (relates to a method). Thus, Dazey’s system does disclose and suggest the steps as Appellant claimed.

Regarding the Endres reference, Appellant argues *“Endres is cited merely for its showing of the use of a multi-monitor support feature, but does not have any of the teachings with regard to ensuring the complete separation and non-overlap of the main window of an application program by the auxiliary information”* (p. 7 lines 6-11). This argument is not persuasive because the Examiner relies on Endres for the use of a multi-monitor support feature that is physically separate display devices, and the Examiner relies on Dazey reference for the non-overlap of the main window of an application program by the auxiliary information *“The help pane is advantageous in*

Art Unit: 2174

comparison to traditional help windows because the help pane is part of the application window and cannot get lost behind other active windows or float annoyingly over the workspace" (col.2 lines 25-28). Therefore, *it would have been obvious to one of ordinary skill in the relevant art at the time of invention was made to use Endres's teaching of first and second physical monitors in a computer system with Dazey's system to enhance the user performance when viewing, operating the application program / auxiliary information because multiple windows of an application program can take advantage of additional screens for providing expanded workspaces in the GUI environment.*

Accordingly, the claimed invention as represented in the claims does not represent a patentable distinction over the art of record.

For the above reason, it is believed that the rejections should be sustained.

Respectfully submitted,

STEVEN LAX
PRIMARY EXAMINER

Thomas T. Nguyen

November 17, 2003

SY D. LUU

PRIMARY EXAMINER